

FRIDOVICH et al
Serial No.: 09/880,125
May 27, 2004

Respectfully submitted,

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re PATENT APPLICATION OF

FRIDOVICH et al

Serial No.: 09/880,125

Filed: June 14, 2001

For: SUBSTITUTED PORPHYRINS

Confirmation No. 9188

Atty. Ref.: 1579-580

Group Art Unit: 1624

Examiner: Habte, K.

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May 27, 2004

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

Sir:

In the Information Disclosure Statement filed June 7, 2002, the Examiner's attention was directed to the existence of U.S. Application No. 10/051,367 (filed January 22, 2002, claiming priority from Provisional Application No. 60/262,390, filed January 19, 2001) and a copy of that application was provided. For the Examiner's ease of reference, submitted herewith is a further copy of the claims from Application No. 10/051,367. Restriction was required in Application No. 10/051,367 and claims 1-10 of that application were elected.

In the spirit of candor, the Examiner's attention is directed to the fact that an Office Action has issued in

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Application No. 10/051,367, dated February 23, 2004 - a
copy is attached.

While in no way agreeing with the assertions made by
the examiner assigned to Application No. 10/051,367, the
Action is provided in view of the fact that certain of the
original method claims of the instant case form the basis
for provisional obviousness-type double patenting
rejections (the examiner assigned to Application
No. 10/051,367 also cites the instant case against claims
of that application in a provisional rejection under 35 USC
103) Further, the examiner assigned to Application No.
10/051,367 contends that certain of the original method
claims of the instant case are drawn to the same invention
as claims elected in Application No. 10/051,367.

This application is again submitted to be in condition
for allowance and a further Notice to that effect is
requested.